

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PAULA Y. STEVENS,
Plaintiff,

v.

ISLAMIC ASSOCIATION OF
NORTH TEXAS, INC.,
Defendant,

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Case No. 3:17-CV-444

NOTICE OF REMOVAL

To the Honorable District Court:

Defendant Islamic Association of North Texas, Inc. (“IANT”) hereby removes Case No. CC-16-06158-C from the County Court at Law No. 3, Dallas County, Texas, to the United States District Court for the Northern District of Texas pursuant to 28 U.S.C. sections 1331, 1367, 1441(a) and 1446, and as grounds for removal respectfully states as follows:

STATEMENT OF THE CASE

1. On December 7, 2016, Plaintiff Paula Y. Stevens filed her Plaintiff’s Original Petition in the County Court at Law No. 3 of Dallas County, Texas, styled *Paula Stevens v. Islamic Association of North Texas, Inc.* (the “State Court Action”). A copy of Plaintiff’s Original Petition is attached as Exhibit C-1.

2. Defendant IANT was served with the citation and Petition on January 17, 2017.

3. The Petition asserts causes of action against Defendant IANT for (i) violations of the overtime pay provision of the federal Fair Labor Standards Act (“FLSA”), section 29 U.S.C. section 207(a), and (ii) violations of the anti-discrimination provision of Chapter 21 of the Texas

Labor Code based on gender. Each of Plaintiff's claims is based on her former employment relationship with IANT.

4. The relief Plaintiff seeks for actual and additional damages exceeds \$100,000.00.

FEDERAL QUESTION JURISDICTION UNDER 28 U.S.C. SECTION 1441(a)

5. This Court has original jurisdiction over this proceeding under 28 U.S.C. section 1441(a), because Plaintiff brings a claim that arises under the FLSA, a law of the United States of America. This Court has pendent jurisdiction over Plaintiff's state law claim as both claims arise from Plaintiff's former employment by Defendant IANT and her claims for past wages. *See* 28 U.S.C. § 1367(a).

**ALL PROCEDURAL REQUIREMENTS FOR REMOVAL
HAVE BEEN SATISFIED**

6. True and correct copies of the following are attached to this Notice of Removal:

Exhibit A: An index of all documents that clearly identifies each document and indicates the date the document was filed in the State Court Action;

Exhibit B: The docket sheet in the State Court Action;

Exhibit C: Each document identified in the State Court Action:

C-1	Plaintiff's Original Petition	December 7, 2016
C-2	Citation	December 13, 2016
C-3	Plaintiff's correspondence to Court requesting service of citation	January 4, 2017
C-4	Plaintiff's correspondence to Court requesting service of citation	January 10, 2017
C-5	Defendant's Original Answer	January 25, 2017
C-6	Vacation Letter Khalid Y. Hamideh Defendant's attorney	January 31, 2017

Exhibit D: A separately signed certificate of interested persons that complies with
Local Civil Rule 3.1(c) (also being filed separately with the Court).

7. Pursuant to 28 U.S.C. section 1446(a) and Local Civil Rule 81.1, a copy of all of the process, pleadings, orders and documents from the State Court Action on file with the state county court clerk that have been served upon Defendant IANT are therefore being filed with this Notice of Removal. Defendant IANT will file true and legible copies of all additional documents on file in the State Court Action within thirty (30) days of the filing of this Notice of Removal.

8. This Notice of Removal has been filed within thirty (30) days of the date that Defendant IANT was served with citation in this matter, by certified mail delivered to its registered agent, Khalid Y. Hamideh, on January 17, 2017. Removal is therefore timely in accordance with 28 U.S.C. section 1446(b).

9. Venue is proper in this Court pursuant to 28 U.S.C. section 1441(a) because the United States District Court for the Northern District of Texas is the federal judicial district embracing County Court at Law No. 3 of Dallas County, Texas, where the State Court Action was originally filed.

CONCLUSION

By this Notice of Removal, Defendant Islamic Association of North Texas, Inc. does not waive any objections it may have as to service, jurisdiction or venue, or any other defenses or objections it may have to this action. Defendant intends no admission of fact, law or liability by this Notice, and expressly reserves all defenses, motions and pleas.

Respectfully submitted,

/s/ Karen G. Shropshire
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ATTORNEYS FOR DEFENDANT ISLAMIC
ASSOCIATION OF NORTH TEXAS, INC.

CERTIFICATE OF SERVICE

This is to certify that on this 16th day of February, 2017, a true and correct copy of the foregoing document was served via email and first class U.S. mail by delivery to Plaintiff's attorney:

Ali Hakeem
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San Antonio, Texas 78260
210.899.3632 (fax)
Attorney for Plaintiff

/s/ Karen G. Shropshire
KAREN G. SHROPSHIRE